

FORM PTO-1390 (Modified)
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

87647:98R199

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/117586

INTERNATIONAL APPLICATION NO.
PCT/US97/01870INTERNATIONAL FILING DATE
31 January 1997 (31.01.97)PRIORITY DATE CLAIMED
31 January 1996 (31.01.96)

TITLE OF INVENTION

FOOD AND VITAMIN PREPARATIONS CONTAINING THE NATURAL ISOMER OF REDUCED FOLATES

APPLICANT(S) FOR DO/EO/US

Steven W. Bailey and June E. Ayling

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

One (1) Verified Statement Claiming Small Entity Status

U.S. APPLICATION NO. (IF KNOWN, SEE 3)

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20. The following fees are submitted.:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Search Report has been prepared by the EPO or JPO \$930.00
- ☒ International preliminary examination fee paid to USPTO (37 CFR 1.482) \$720.00
- ☐ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00
- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,070.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	78 - 20 =	58	x \$22.00	\$1,276.00	
Independent claims	15 - 3 =	12	x \$82.00	\$984.00	
Multiple Dependent Claims (check if applicable).				<input checked="" type="checkbox"/>	\$270.00
TOTAL OF ABOVE CALCULATIONS				=	\$3,250.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).				<input checked="" type="checkbox"/>	\$1,625.00
SUBTOTAL				=	\$1,625.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$0.00
TOTAL NATIONAL FEE				=	\$1,625.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input checked="" type="checkbox"/>	\$40.00
TOTAL FEES ENCLOSED				=	\$1,665.00
				Amount to be refunded	\$
				charged	\$

- ☐ A check in the amount of _____ to cover the above fees is enclosed.
- ☒ Please charge my Deposit Account No. **10-0223** in the amount of **\$1,665.00** to cover the above fees.
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **10-0223** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Susan J. Braman
Jaekle Fleischmann & Mugel, LLP
39 State Street
Rochester, New York 14614-1310
Tel: (716) 262-3640
Fax: (716) 262-4133

SIGNATURE

Susan J. Braman

NAME

34,103

REGISTRATION NUMBER

DATE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Bailey et al.			Docket No. 87647.98R199	
Serial No. To be assigned	Filing Date Herewith	Examiner Unknown	Group Art Unit Unknown	
Invention: FOOD AND VITAMIN PREPARATIONS CONTAINING THE NATURAL ISOMER OF REDUCED FOLATES				
<p>I hereby certify that this <u>Signed Verified Statement Claiming Small Entity Status (2 pgs)</u> (Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>July 31, 1998</u> (Date)</p> <p><u>Susan J. Braman</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p><u>Susan J. Braman</u> (Signature of Person Mailing Correspondence)</p> <p><u>EE817773730US</u> (Express Mail Mailing Label Number)</p>				
<p>Note: Each paper must have its own certificate of mailing.</p>				

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Serial No. To be assigned	Filing Date Herewith	Examiner Unknown	Group Art Unit Unknown
Invention: FOOD AND VITAMIN PREPARATIONS CONTAINING THE NATURAL ISOMER OF REDUCED FOLATES			
<p>I hereby certify that this <u>Signed Declaration/Power of Attorney (3 pgs)</u> <i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on <u><i>July 31, 1998</i></u> <i>(Date)</i></p> <p><u>Susan J. Braman</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <p><u><i>Susan J. Braman</i></u> <i>(Signature of Person Mailing Correspondence)</i></p> <p><u>EE817773730US</u> <i>("Express Mail" Mailing Label Number)</i></p>			
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<p>I hereby certify that this <u>Transmittal Cover Letter (2 pgs)</u> <i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>July 31, 1998</u> <i>(Date)</i></p> <p><u>Susan J. Braman</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <p><u>Susan J. Braman</u> <i>(Signature of Person Mailing Correspondence)</i></p> <p><u>EE817773730US</u> <i>("Express Mail" Mailing Label Number)</i></p>			
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To be assignedFiling Date
HerewithExaminer
UnknownGroup ArtUnit
UnknownInvention: FOOD AND VITAMIN PREPARATIONS CONTAINING THE NATURAL ISOMER OF
REDUCED FOLATESI hereby certify that this Signed Assignment (2 pgs) with Cover Sheet (2 pgs)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 onJuly 31, 1998
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Susan J. Braman

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